

Environmental Services Division

Variance Report

4/24/2008

Monthly Variance Report March 2008

Item No.	Facility/City	Program	DNR Reviewer	Subject	Decision	Date
1	Eastern Iowa Regional Utility Service System, Dubuque, Iowa	Water Supply	Dennis Alt	Variance for use of non-ASME pressure tanks and for volume of pressure tank	Approved	3/4/2008
2	The Learning Journey, Council Bluffs, Iowa	Water Supply	Dennis Alt	Variance for use of non-ASME pressure tanks & Variance regarding legal control for Well #2	Approved	3/4/2008
3	Fairview Mennonite Church, Kalona, Iowa	Water Supply	Dennis Alt	Variance for use of non-ASME pressure tanks and for volume of pressure tank & variance for well site separation distances	Approved	3/4/2008
4	Monsanto-Boone Production Plant, Boone, Iowa	Air Quality	Bryan Bunton	Variance to increase treatment chemical usage	Denied	3/13/2008
5	Monsanto-Boone Production Plant, Boone, Iowa	Air Quality	Bryan Bunton	Variance to increase treatment chemical usage	Denied	3/13/2008
6	United States Gypsum Company, Mediapolis, Iowa	Air Quality	Dennis Thielen	Variance to conduct trial run using confidential raw material.	Approved	3/17/2008
7	Northern Natural Gas, West Des Moines, Iowa	Air Quality	Dennis Thielen	Variance to operate a natural gas well drilling system	Approved	3/17/2008
8	Anderson Excavating C&D Facility, Council Bluffs, Iowa	Land Quality	Amie Davidson	Variance requesting groundwater measurements be made semi-annually rather than monthly.	Denied	3/14/2008
9	Global Ethanol, Lakota, Iowa	Air Quality	Bryan Bunton	Variance to use a tank truck for dentaturant supply	Approved	3/19/2008
10	Hull Coop Assoc, Hull, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
11	Farmers Cooperative Elevator Co., Sioux City, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
12	Nemaha Milling, Inc., Nemaha, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
13	Big Wapsie Ag Services, Oran, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
14	Cooperative Elevator Assoc., Ocheyedan, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
15	Cooperative Elevator Assoc., Ocheyedan, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
16	Danbury Elevator	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
17	Greenbelt Elevator, Inc, Ackley, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008

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18	Charter Oak Ag Supply, Charter Oak, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
19	Galva Holstein Ag, LLC, Galva, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
20	Farmers Cooperative Company, Afton, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
21	Farmers Cooperative Elevator, Arcadia, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
22	Farmers Cooperative Elevator, Arcadia, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
23	Progressive Ag Cooperative, Northwood, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
24	Rossie Feed & Grain, Rossie, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
25	Midwest Farmers Coop, Sheldon, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
26	Farmers Cooperative, Marble Rock, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
27	Farmers Coop Elevator Co, Ruthven, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
28	United Farmers Mercantile Coop, Red Oak, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
29	lester Feed & Grain, Lester Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
30	Galva Holstein Ag, LLC, Holstein, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
31	Farmers Cooperative Company, Parkersburg, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
32	Farmers Cooperative Company, Dike, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
33	Farmers elevator Coop, Rock Valley, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
34	Farmers elevator Coop, Rock Valley, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
35	Farmers elevator Coop, Rock Valley, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
36	Farmers elevator Coop, Rock Valley, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
37	Farmers elevator Coop, Rock Valley, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
38	Faas Feed & Grain Inc, North English, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
39	Farmers Coop Elevator, Ottosen, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
40	Bullockk Ag Service, Inc, LaMotte, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
41	Gringer Ag, Inc, Iowa City, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
42	G&I Feed & Grain, Inc, Mt. Ayr, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
43	Oathoudt Farm Supply, Inc, Atlantic, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
44	Duffe Grain Inc, Wilton, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008

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45	English River Pellets, Inc, Kalona, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
46	English River Pellets, Inc, Kalona, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
47	Pella Feed Service, Inc, Clarinda, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
48	Tama-Benton Cooperative, Dysart, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
49	Farmers Cooperative Company, Afton, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
50	Farmers Cooperative Company, Afton, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/25/2008
51	English River Pellets, Inc, Kalona, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
52	Farm Service Cooperative, Harlan, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
53	Farm Service Cooperative, Harlan, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
54	Farm Service Cooperative, Harlan, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
55	Two Rivers Cooperative, Monroe, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
56	Two Rivers Cooperative, Monroe, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
57	Innovative Ag Services Co., Hopkinton, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
58	Innovative Ag Services Co., Hopkinton, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
59	Innovative Ag Services Co., Hopkinton, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
60	Farmers Coop Society, Sioux Center, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
61	Farmers Coop Society, Sioux Center, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
62	Farmers Coop Society, Sioux Center, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
63	Farmers Coop Society, Sioux Center, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
64	Farmers Coop Society, Sioux Center, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
65	DFS, Inc., Newell, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
66	Sioux Feed Company, Sioux Center, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
67	Thompson Farm Supply, Donnellson, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
68	Westway Terminals, Sioux City, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
69	Bullock Ag Service, Inc., LaMotte, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/26/2008
70	East Central Iowa Cooperative, Hudson, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
71	East Central Iowa Cooperative, Hudson, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008

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72	Agri-Center of Henry County, Mt. Pleasant, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
73	Agri-Center of Henry County, Mt. Pleasant, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
74	Agri-Center of Henry County, Mt. Pleasant, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
75	Stateline Cooperative, Lone Rock, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
76	Eu-tec Nutrition, Inc, Decorah, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
77	Cedar River Mill, Waterloo, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
78	B&B Farm Store Inc., Jesup, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
79	Farmers Shipping Association, Dyersville, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
80	North Central Cooperative, Clarion, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
81	NEW Feeds, LLC, Fort Dodge, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
82	NEW Feeds, LLC, Fort Dodge, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
83	NEW Feeds, LLC, Fort Dodge, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
84	NEW Feeds, LLC, Fort Dodge, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
85	NEW Feeds, LLC, Fort Dodge, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
86	North Central Cooperative, Clarion, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
87	Andover Grain & Fertilizer, Andover, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
88	Troy Elevator, Bloomfield, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
89	Troy Elevator, Bloomfield, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
90	Troy Elevator, Bloomfield, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
91	Cedar County Cooperative, Tipton, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
92	Farmers Cooperative, LeMars, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
93	Clarinda Cooperative, Clarinda, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
94	Gengler Feed Service, Inc., Remsen, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
95	Winneshiek Cooperative Assoc., Decorah, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
96	Winneshiek Cooperative Assoc., Decorah, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
97	Feed Partners LLC., Cherokee, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
98	Leighton Agri Center, Leighton, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008

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99	Allison Farmers Feed & Grain, Allison, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
100	Three Rivers FS Company, Earlville, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
101	P.M.C. Agri Services, Inc., Miles, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
102	Northeast Iowa Coop, Elgin, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
103	Northeast Iowa Coop, Elgin, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
104	Center Feed Store, Inc., Sioux Center, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
105	Deluxe Feeds, Inc., Sheldon, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
106	Deluxe Feeds, Inc., Sheldon, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
107	Snittjer Grain Co., Wellsburg, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
108	Morse Feed & Grain, Sigourney, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
109	Klostermann Bros., Inc., Earlville, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
110	Sully Cooperative Exchange Feed Mill, Sully, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/27/2008
111	Keystone Mercantile, Keystone, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/31/2008
112	Sinclair Elevator, Inc., Parkersburg, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/31/2008
113	Waterloo Mills Company, Waterloo, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/31/2008
114	BB&P Feed & Grain, Winterset, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/31/2008
115	Heart of Iowa Cooperative, Zeiring, Iowa	Air Quality	Dennis Thielen	Variance from 22.10(4)	Approved	3/31/2008

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
May 2008**

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
BBR, LLC Spirit Lake (3)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Motion for Leave to Amend Order Granting Leave Amended and Substituted Petition Trial Date	9/19/06 4/18/07 6/12/07 6/18/07 6/18/07 9/16/08
Bulk Petroleum Corporation 28 Sites (1) (6)	Underground Tank	Operation and Maintenance Violations	Referred to Attorney General	Referred Petition Filed Trial Date	6/19/06 2/01/07 10/01/08
Cargill, Inc.; Mort's, Inc. Iowa Falls (2) UPDATED	Solid Waste Wastewater	Illegal Disposal; Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Consent Decree (\$100,000/Civil; Injunction)	11/14/06 3/10/08 3/10/08
Clinton, City of (6)	Wastewater	Compliance Schedule; Discharge Limits	Referred to Attorney General	Referred	9/19/05
Cohrs, Bernard; Cohrs Construction Dickinson Co. (3)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred Petition Filed	11/14/06 9/20/07
Creston Bean Processing, LLC Creston (4)	Air Quality	Operational Violations; Monitoring/Reporting	Referred to Attorney General	Referred	9/04/07
Des Moines, City of; Metropolitan WW Reclamation Authority (5)	Wastewater	Compliance Schedule	Referred to Attorney General	Referred	8/15/06
De Vos, Harold and Sharon Rock Rapids (3)	Air Quality Solid Waste Wastewater	Open Burning; Illegal Disposal; Operation Without Permit	Order	Referred Petition Filed Motion for Partial Summary Judgment Hearing on Motion Proposed Ruling by State Ruling Granting Partial Summary Judgment Trial Date on Civil Penalties	9/19/06 1/23/07 6/08/07 7/09/07 8/10/07 9/24/07 2/19/08
Environmental Recycling Co., Inc. Dwight Oglesbee Masena (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred Petition Filed	12/05/06 9/20/07
Equitable L.P/The Equitable Condos Des Moines (5)	Air Quality	Asbestos	Referred to Attorney General	Referred	3/11/08

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Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Feinberg Metals Recycling Corp., Ft. Madison (6)	Solid Waste Wastewater	Operation Without Permit; Illegal Disposal; Stormwater – Operation Without Permit	Referred to Attorney General	Referred	3/06/07
Flying J, Inc.; CFJ Plaza Co. II, LLC; and CFJ Properties Clive (5)	Underground Tank Wastewater	Remedial Action; Prohibited Discharge; Pollution Prevention Plan Violations	Referred to Attorney General	Referred	11/07/07
Garrett Corporation; Delta Industries Waterloo (2) UPDATED	Air Quality	Construction Without Permit; Construction Contrary to Permit	Referred to Attorney General	Referred Petition Filed Consent Decree (\$45,000/Civil; Injunction)	1/02/07 3/28/08 3/31/08
Golden Oval Eggs LLC Thompson (2)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	12/05/06 3/29/07
Kruse Dairy Farm, Inc. Dyersville (1)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred	12/19/05
Landfill of Des Moines #4 Des Moines (5)	Solid Waste	Operation Permit Violations – Other	Referred to Attorney General	Referred Petition Filed Trial Date	4/17/06 1/23/07 8/05/08
Leigh, Marsha Glenwood (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Defendant's Motion to Dismiss State's Resistance/Motion to Dismiss Motion to Intervene Hearing on Motion to Dismiss Ruling Denying Motion to Dismiss Resistance to Motion to Intervene Hearing on Motion to Intervene Ruling Denying Motion to Intervene Hearing on Defense Motions Motion for Judgment on Default Order Granting Default Judgment (\$100,000/Civil; \$10,000/Admin. & Injunction)	9/20/04 3/29/05 4/20/05 5/02/05 5/12/05 5/23/05 5/23/05 5/23/05 6/27/05 6/29/05 12/05/05 9/12/05 12/7/05
Lincolnway Energy, Inc. Nevada (5)	Wastewater	Discharge Limits	Referred to Attorney General	Referred	12/04/07
Matrix Metals d/b/a Keokuk Steel Castings, Co. Keokuk (6)	Air Quality	Particulate	Referred to Attorney General	Referred	9/04/07

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Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Miller Products Company Osceola (5)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	12/05/06
Moellers, Kenneth Cresco (1)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; Failure to Report a Release; WQ Violations – General Criteria	Referred to AG	Referred Petition Filed Trial Date	2/20/06 12/11/06 5/21/08
Oakland Foods, LLC Oakland (4)	Wastewater Air Quality	Permit Violations; Construction Without Permit	Referred to Attorney General	Referred	3/11/08
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5)	Solid Waste	Permit Violations	Referred to Attorney General	Referred Petition Filed Application for Temporary Injunction Temporary Injunction Trial Date Partial Judgment (Clean-up Order) Contempt Application Contempt Hearing Date Contempt Finding and Civil Penalty (\$100,000 and 30 Days in Jail – Suspended until 7/8/03) Hearing Regarding Contempt Order Regarding Bond/Cleanup Deadline Bond Posted State Objections to Bond Ruling Denying Objections to Bond Status Hearing Date Hearing on Motion to Extend Cleanup Deadline Order Reinstating \$100,000 Civil Penalty Site Clean-up Completed	12/15/97 10/02/98 2/04/99 4/19/99 9/13/00 9/28/00 12/12/02 2/20/03 2/20/03 7/09/03 8/01/03 8/01/03 8/20/03 9/18/03 4/16/04 12/10/04 1/05/05 8/15/06
Pellett Chemical Co., Inc. Wiota (4)	Underground Tank	Failure to Submit Tier 2 Site Assessment	Referred to Attorney General	Referred Petition Filed Defendant's Motion to Dismiss Resistance to Motion to Dismiss Hearing on Motion to Dismiss Ruling for State Denying Motion to Dismiss State's Motion for Summary Judgment Motion for Partial Summary Judgment Ruling Granting Partial Summary Judgment	6/19/06 3/29/07 4/24/07 4/27/07 5/14/07 5/14/07 6/08/07 8/20/07 9/17/07

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River Bluff Resort, LLC; C.J. Moyna & Sons, Inc.; P.A. McGuire Construction McGregor (1) UPDATED	Wastewater	Stormwater – Pollution Prevention Plan Violations; Water Quality Violations – General Criteria	Referred to Attorney General	Referred Tax Sale by County Petition Filed	4/03/07 6/18/07 4/15/08
Roquette America, Inc. Keokuk (6)	Air Quality	Construction Without Permit	Referred to Attorney General	Referred	9/19/06
Schoenberr, R. B. d/b/a Long Branch Tavern Monmouth (1)	Drinking Water	Permit Renewal	Orders/Penalties	Referred Court Order Re-Referred Petition Filed Application for Contempt Contempt Hearing Order for Contempt (\$3,000 fine) Arrest Warrant Issued Contempt/Temporary Injunction Hearing Temporary Injunction Granted Contempt Hearing Date Contempt Hearing Order Finding Defendant in Contempt \$3,000 Fine Amended Petition Order Granting Judgment on Default (\$10,000/civil; injunction)	6/20/97 12/09/98 11/21/02 3/11/05 3/11/05 4/01/05 8/05/05 4/01/05 5/03/05 5/03/05 7/06/05 8/05/05 8/05/05 1/31/06 1/04/08
Sharkey, Dennis Dubuque Co. (1)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred Petition Filed	4/03/07 9/20/07
Simpson, Barry Worth Co.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed Answer Filed	10/18/04 11/04/04
Siouxland Energy & Livestock Coop Sioux Center (3)	Air Quality	Construction Without Permit	Referred to Attorney General	Referred	9/04/07
Sioux Pharm, Inc. Sioux County (3)	Wastewater	Operational Violations	Referred to Attorney General	Referred	3/11/08
SNF, Inc. dba Brand FX Body Company Pocahontas (3) UPDATED	Air Quality	Operational Violations	Referred to Attorney General	Referred Petition Filed Consent Decree (\$25,000/Civil; Injunction)	9/19/06 2/29/08 3/04/08

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Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Stone v. Rembrand Enterprises, Inc.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed	12/06/04
				State Motion to Dismiss	1/10/05
				Hearing	3/07/05
				Ruling Dismissing Damage Claims	5/17/05
				State's Motion for Summary Judgment	2/27/06
				Order Granting Continuance	3/20/06
				Hearing on Summary Judgment	5/01/06
				State's Supp. Reply to Plaintiff's Resistance to Motion for Summary Judgment	6/19/06
				Ruling Denying Motion for Summary Judgment	10/04/06
				Application for Interlocutory Appeal	11/03/06
				Memorandum in Support of Interlocutory Appeal	11/03/06
				Application Denied	1/08/07
				Motion for Separate Trial	1/22/07
				Hearing on Motion for Separate Trial	3/05/07
				Order Granting Separate Trial	3/14/07
				Trial Brief	4/06/07
				Reply Brief	4/13/07
				Trial Date	4/16/07
				Ruling for State	9/17/07
				Application for Interlocutory Appeal Supreme Court Order Denying Interlocutory Appeal	10/18/07 1/29/08
Sweitzer, Chad and Lona; Winter Mobile Home Park New Hampton (1)	Drinking Water	Operation Without Permit; Monitoring/Reporting – Bacteria; MCL – Bacteria	Referred to Attorney General	Referred	11/14/06
				Petition Filed	5/03/07
				Demand for Default	8/16/07
				Order Granting Judgment on Default (\$5,000/civil; injunction)	10/09/07
Welch Oil, Inc.; Boondocks USA, Inc. Lucas Co. (2)	Wastewater; Drinking Water	Monitoring/Reporting	Referred to Attorney General	Referred	12/04/07
Yentes, Clifford Council Bluffs (4)	Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	4/03/07
				Petition Filed	9/21/07
				Contempt Application Filed	9/21/07
				Contempt Hearing	11/05/07
				Ruling on Contempt Application (90 days jail suspended/\$500 fine)	11/29/07 2/18/08
				Compliance Hearing	2/18/08

**Iowa Department of Natural Resources
Environmental Services
Report of WW By-passes**

During the period March 1, 2008 through March 31, 2008, 13 reports of wastewater by-passes were received. A general summary and count by field office is presented below. This does not include by-passes resulting from precipitation events.

Month	Total	Avg. Length (days)	Avg. Volume (MGD)	Sampling Required	Fish Kill
October '07	10(3)	0.147	0.004	2	0(0)
November '07	8(3)	3.697	0.027	3	0(0)
December '07	9(11)	0.365	0.048	2	0(0)
January '08	6(7)	0.725	0.001	0	0(0)
February '08	11(34)	0.280	0.255	2	0(0)
March '08	13(14)	0.464	0.047	4	0(0)
April '07	22(12)	0.393	0.068	5	0(0)
May '07	8(11)	0.565	7.386	1	0(0)
June '07	11(9)	0.059	0.001	2	0(0)
July '07	14(9)	0.389	0.045	7	0(0)
August '07	8(15)	0.108	0.317	3	0(0)
September '07	18(9)	0.203	0.039	0	0(0)

(numbers in parentheses for same period last year)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
4	0	1	1	0	7

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

April, 2008

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
4/26/99	Gerald and Judith Vens	6	Order/Penalty	FP	Clark	4/09/07 – Internal meeting with DNR management set for 4/12/07. 5/09/07 – Clark calls Vens’ attorney and extends settlement offer. Attorney agrees to inform client and get back to Dept. with response. 5/16/07 – Response from Vens’ attorney indicating qualified agreement with settlement offer pending an inspection by DNR staff.
7/13/00	Dan Witt	6	Order/Penalty	AFO	Book	1/10/07 – FO6 staff visited the site to determine the current status and observed that the AFO portion of the farm operations has been closed. Hearing rescheduled for 11/25/07 12/07-Proposed Decision. Penalty was reduced to \$1500. 3/17/08 - Mr. Witt appeals proposed decision.
10/02/01	Daryl Larson	6	Order	AFO	Clark	Hearing set for 12/04/07. 11/27/07 – DNR files motion for default entry. 12/21/07 – Default entry/Proposed Decision. No appeal
11/27/01	Dallas County Care Facility	5	Order/Penalty	WW	Hansen	10/03 – Letter to County attorney regarding appeal resolution. 1/04 – Letter to attorney regarding appeal. 4/04 – Dept. letter to attorney regarding appeal. 9/04 – Dept. letter to attorney regarding appeal. 6/26/07 – Appeal resolved. Facility connected to City WWTF. Consent order to be issued.
1/23/02	Clearview Mobile Home Park	6	Permit Conditions	WW	Hansen	10/31/02 – Construction permit issued for improvement to lagoon system. 10/31/03 – Update on construction project requested from Dept. engineer. 1/30/04 – Status report requested from Dept. staff. 3/15/04 – Letter from facility attorney regarding proposed upgrade with sand filters. 4/26/04 – Dept. letter to MHP attorney requesting construction schedule for project. 5/17/04 – Letter from MHP attorney with new schedule. 11/06 – Letter from MHP attorney regarding projects on hold due to revisions in WQ standards rules. 8/07 – Petition and Answer filed with DIA. Hearing continued to January 7, 2008 at request of MHP attorney. . Hearing continued. Project initiation meeting held on 1/9/08 to discuss project. Hearing set for 7/24/08.
2/10/03	Doug Osweiler	6	Order/Penalty	AFO	Clark	Hearing rescheduled for 11/8/07. Settlement likely, hearing continued pending finalized settlement.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
April, 2008**

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
4/25/03	Ag Processing Inc.	2	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
12/02/03	Jeff Holland	2	Order/Penalty	AFO	Clark	6/6/07 - Dept. letter to Mr. Holland indicating case will be sent to DIA if settlement not reached by 6/22/07. 6/14/07 – Phone call from Mr. Holland. Tentative settlement pending receipt of swine depopulation history.
12/15/03	AGP (Emmetsburg)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
1/30/04	John Schmall d/b/a Carpenter Bar & Grill	2	Order/Penalty	WS	Hansen	2/26/04 – Letter to WS attorney regarding resolving appeal. 9/04 – Per WS section, facility has returned to compliance. 11/06 – Facility building burned down, facility closed. 5/07- Dept. letter to attorney about resolving appeal. 5/25/07 – Settled. Consent order sent to attorney to be signed. 7/07- At request of attorney, CO sent to John Schmall for signature. 10/30/07 – Revised consent order sent to Mr. Schmall. 4/2/08 – Revised consent order sent for signature.
2/09/04	Swine USA, LP	5	Order/Penalty	AFO	Clark	2/2/07 – Draft Consent Order sent to attorney for new owner. 6/19/07 – Clark sends email concerning issues at other former Swine USA operations acquired by Whitestone. 6/27/07 – Whitestone attorney responds with general agreement to settlement but needs to confirm with client.
4/08/04	Silver Creek Feeders	4	Permit Conditions	AFO	Clark	Negotiating before filing.
4/16/04	Ag Processing Inc. (Sheldon)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
5/12/04	Ag Processing, Inc.	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
6/11/04	University of Iowa	6	NPDES Permit	WW	Hansen	Hearing rescheduled for 11/1/07 at request of U of I. Reset again for 12/21/07 at request of U of I. Hearing held, proposed ALJ decision issued in favor of Dept. concerning permit. No appeal. Proposed decision now final agency decision. Case closed.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES
April, 2008**

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
5/25/05	Iowa Quality Beef Cooperative	5	Order/Penalty	WW	Hansen	6/26/06 – FO meeting with company officials to discuss reopening of plant. 7/12/06 – FO inspection of plant. Hearing set for 10/29/07. 8/07 – Petition and Answer filed. Company requested continuance. Reset for 1/22/07. 12/18/07 – Meeting scheduled. Meeting rescheduled for 2/13/08. Hearing reset for 3/28/08. Settled. Hearing continued to 5/8/08 pending settlement. Consent order sent to company attorney for signature.
2/27/06	Greig & Co., Inc.	3	NPDES Permit	WW	Clark	Negotiating before filing.
4/10/06	Praxair, Inc.		Permit Conditions	AQ	Preziosi	Negotiating.
7/07/06	Washington County (Permittee: Riverside Casino)	6	Water Use Permit	WR	Clark	Negotiating before filing.
8/09/06	Cargill (Eddyville)	5	Permit Conditions	AQ	Preziosi	Negotiating.
12/27/06	Piper Motor Co. Inc.	6	Order/Penalty	AQ/WW	Tack	Default entered 3/18/08. Case closed.
1/08/07	Cargill (Eddyville) 02-A-393-S3, 02-A-394-S2, 02-A-395-S2, 02-396-S3, 05-A-930, 05-A-931	5	Permit Conditions	AQ	Preziosi	Negotiating before filing.
1/09/07	Charlie Van Meter; Van Meter Feedyard	5	Permit Conditions	WW	Clark	Negotiating before filing.
1/11/07	Clow Valve Company (20 Permits)	5	Permit Conditions	AQ	Preziosi	Negotiating before filing.
6/13/07	Crossroads Cattle Co.; John Reisz	4	Permit Conditions	WW	Clark	Negotiating before filing.
6/19/07	Goldsmith and Son, Inc.; John E. Goldsmith; Patti R. Goldsmith; and J & G Pallet, LLC	3	Order/Penalty	WW	Hansen	7/07- Facility returned to compliance. To be set for hearing. Hearing set for 5/2/08. Petition and answer filed with DIA.
6/25/07	Rick Onken		Permit Conditions	WW	Clark	Negotiating before filing.
8/10/07	Tate & Lyle Ingredients Americas	2	Permit Conditions	AQ	Preziosi	Negotiating before filing.
8/10/07	Port Louisa Land Co.; E. A. Hicklin	6	Variance Denial	FP	Clark	Negotiating before filing.
9/25/07	Winneshiek County Conservation Board (Kendallville Park)	1	Permit Revision	WS	Hansen	Negotiating before filing.
11/05/07	Twin Knolls 6 th Addition	1	Permit Conditions	WS	Hansen	Negotiating before filing.
11/15/07	Alcoa	6	Permit Conditions; Permit	AQ	Preziosi	Negotiating.

* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
CONTESTED CASES**

April, 2008

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
			# 97-A-140-S2			
11/15/07	Alcoa	6	Permit Conditions; Permits #85-A-067P-S2; #87-A-045P-S2; #89-A-177P-S2	AQ	Preziosi	Negotiating.
11/15/07	Gary West		Permit Denial	AFO	Clark	Negotiating before filing.
11/16/07	Justin Cooper		Permit Denial	AFO	Clark	Negotiating before filing.
11/26/07	Larry J. Fishback	6	Order/Penalty	WW	Schoenebaum	Set for hearing 5/21/08.
1/14/08	Alliant Energy	1	Permit Conditions	AQ	Preziosi	Negotiating.
1/22/08	Des Moines County Regional Solid Waste Commission	6	Permit Condition; #29-SDP-01-76P	SW	Tack	Negotiating before filing.
2/07/08	Glenn Goodsell	5	Licensee Discipline	WS	Wornson	Hearing set for 5/5/08.
2/22/08	Cliff's Place	1	Order/Penalty	WS	Hansen	Negotiating before filing.
2/26/08	Bell Air Betterment Corporation	3	Permit Condition	WS	Hansen	Negotiating before filing.
2/28/08	Snap-On Tools Mfg. Co.	2	Termination from Land Recycling Program	HC	Mullen	Negotiating before filing.
3/10/08	Anthony Herman; Mighty Good Used Cars	5	Order/Penalty	WW	Tack	Negotiating before filing.

* These cases were previously assigned to Mike Murphy.

DATE: May, 2008

TO: EPC

FROM: Ed Tormey

RE: Enforcement Report Update

The following new enforcement actions were taken during this reporting period:

Name, Location and Field Office Number Date	Program	Alleged Violation	Action	
Douglas Bloomquist, Webster Co. (2)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Order \$5,000	3/18/08
Roger McEwan, Palo Alto Co. (3)	Wastewater	Prohibited Discharge; Permit Violations; Construction Without Permit	Consent Order \$10,000	3/18/08
Xethanol Biofuels, LLC Blairstown (1)	Air Quality	Monitoring/Reporting	Consent Order \$10,000	3/18/08
Rural Water System #1, Sioux Co. (3)	Drinking Water	Construction Without Permit	Consent Order \$8,000	3/21/08
Brush & Weed Control Specialists, Inc. and New Farmers Drainage District, Monona Co. (4)	Wastewater	Prohibited Discharge	Order/Penalty \$10,000	4/07/08
Doug Harris, Louisa Co. (6)	Animal Feeding Operation	Prohibited Discharge – Confinement	Consent Order \$5,000	4/07/08
Bedford, City of (4)	Air Quality	Asbestos	Consent Order \$2,000	4/07/08
Dexter Laundry, Inc., Fairfield (6)	Wastewater	Pretreatment	Consent Order \$2,500/\$7,500 SEP	4/07/08
Randolph, City of (4)	Air Quality, Solid Waste	Open Burning; Illegal Disposal	Order/Penalty \$4,000	4/07/08
Environmental Reclamation and Recycling, LLC Des Moines (5)	Solid Waste	Illegal Disposal	Order Stip. Penalties	4/07/08
Binder Trucking, Inc. Buena Vista Co. (3)	Wastewater	Prohibited Discharge	Consent Order \$8,000	4/11/08

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
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IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
RULEMAKING STATUS REPORT
May, 2008

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	ARC #	RULES REVIEW COMMITTEE	HEARING	COMMENT PERIOD	FINAL SUMMARY TO COMMISSION	RULES ADOPTED	RULES PUBLISHED	ARC #	RULES REVIEW COMMITTEE	RULE EFFECTIVE
1. Ch. 20-23, 25, 33 – AQ Program Rules – Updates, Revisions and Additions	12/04/07	1/02/08	6517B	1/07/08	2/04/08	2/05/08	4/08/08	4/08/08	*5/07/08	6783B	*6/10/08	*6/11/08
2. Ch. 20-23, 25, 33 – AQ Program Rules – Updates, Revisions and Additions	5/13/08	*6/04/08		*6/10/08	7/07/08	7/08/08	*8/12/08	*8/12/08	*9/10/08		*10/06/08	*10/15/08
3. Ch. 61 – WQ River and Stream Segments	10/01/07	10/24/07	6351B	11/13/07	11/15, 20, 27, 30/07	12/11/07	4/08/08	4/08/08	*5/07/08	6782B	*6/10/08	*6/11/08
4. Ch. 64 – Wastewater Construction and Operation Permits	12/04/07	1/02/08	6521B	1/07/08	1/24/08	1/24/08	*5/13/08	*5/13/08	*6/04/08		*6/10/08	*7/09/08
5. Ch. 65 – Regulatory Analysis; Liquid Manure/Soybeans	9/04/07	9/26/06	6250B	10/09/07	10/16/07	10/16/07	3/11/08	3/11/08	4/09/08	6704B	*5/06/08	*5/14/08
6. Ch. 113 – Sanitary Landfills for Municipal Solid Waste; Groundwater Protection Systems for the Disposal of Non-Hazardous Wastes	5/13/07	*6/04/08		*6/10/07	*7/10/08	*7/08/08	*8/12/08	*8/12/08	*9/10/08		*10/06/08	*10/15/08
7. Ch. 135 – Technical Standards and Corrective Action Requirements for Owners and Operators of USTs	1/15/08	2/13/08	6596B	3/04/08	3/04-06/08	3/06/08	*5/13/08	*5/13/08	*6/04/08		*6/10/08	*7/09/08

* Projected

Iowa Department of Natural Resources

Environmental Services Division

Report of Manure Releases

During the period March 1, 2008, through March 31, 2008, 4 reports of manure releases were forwarded to the central office. A general summary and count by field office is presented below.

Month	Total Incidents	Feedlot	Confinement	Land Application	Transport	Hog	Cattle	Fowl	Other	Surface Water Impacts
October	10 (12)	1 (0)	5 (9)	1 (0)	2 (3)	8 (9)	1 (0)	0 (3)	0 (0)	2 (1)
November	10 (10)	0 (0)	5 (2)	0 (3)	5 (5)	9 (8)	0 (1)	1 (1)	0 (0)	2 (1)
December	4 (5)	0 (0)	3 (5)	0 (0)	1 (0)	3 (4)	1 (1)	0 (0)	0 (0)	0 (1)
January	1 (4)	0 (0)	1 (3)	0 (1)	0 (0)	0 (4)	0 (0)	1 (0)	0 (0)	0 (0)
February	3 (4)	0 (0)	2 (2)	0 (0)	1 (2)	2 (3)	1 (1)	0 (0)	0 (0)	0 (1)
March	4 (7)	0 (0)	4 (6)	0 (0)	0 (0)	4 (6)	0 (0)	0 (0)	0 (0)	3 (2)
April	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
May	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Total	32 (42)	1 (0)	20 (27)	1 (4)	9 (10)	26 (34)	3 (3)	2 (4)	0 (0)	7 (6)

(numbers in parentheses for the same period last year)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
1	0	0	2	0	1

Iowa Department of Natural Resources Environmental Services Division Report of Hazardous Conditions

During the period March 1, 2008, through March 31, 2008, 73 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

Month	Total Incidents	Substance					Mode			
		Agri-chemical	Petroleum Products	Other Chemicals	Transport	Fixed Facility	Pipeline	Railroad	Fire	Other*
October	63 (52)	5 (5)	38 (34)	20 (12)	19 (14)	27 (29)	3 (0)	1 (3)	3 (2)	10 (4)
November	70 (60)	18 (13)	26 (30)	26 (17)	15 (19)	43 (27)	1 (2)	2 (4)	1 (1)	8 (7)
December	60 (28)	2 (3)	36 (20)	22 (5)	18 (5)	33 (18)	1 (0)	2 (2)	1 (0)	5 (3)
January	45 (37)	3 (4)	34 (21)	8 (12)	16 (11)	24 (19)	3 (3)	1 (1)	0 (0)	1 (3)
February	60 (49)	3 (6)	44 (37)	13 (6)	17 (6)	31 (35)	3 (1)	2 (3)	1 (0)	6 (4)
March	73 (70)	7 (5)	49 (52)	17 (13)	22 (19)	37 (44)	4 (0)	4 (0)	0 (0)	6 (7)
April	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
May	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Total	371 (296)	38 (36)	227 (194)	106 (65)	107 (74)	195 (172)	15 (6)	12 (13)	6 (3)	36 (28)

(numbers in parentheses for same period last year)

*Other includes dumping, theft, vandalism and unknown

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
14	11	14	8	17	9

**IOWA DEPARTMENT OF NATURAL RESOURCES
COMPLIANCE AND ENFORCEMENT BUREAU**

DATE: May 1, 2007
TO: Environmental Protection Commission
FROM: Ed Tormey
SUBJECT: Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	7,792	3-15-96
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
Lindahl & Sons Salvage (Boone)	AQ/SW	10,000	11-29-00
R & R Ranch (Osceola)	WW	10,000	8-30-00
Alice Hillhouse; Hillhouse Real Estate Corp. (Denison)	UT	3,000	2-28-01
Teckenburg, Inc.; Jerry Teckenburg (Cedar Rapids)	UT	6,380	7-06-01
Keith Craig; The Farm (Council Bluffs)	UT	3,890	8-08-01
James Harter (Fairfield)	WW	1,483	8-01-01
Wisconsin North dba National Petroleum, Inc. (Clinton)	UT	5,000	8-04-01
# Troy DeGroote; Casey DeGroote (Butler Co.)	AFO/AQ/SW	108	3-08-02
Charlotte Caves (Oskaloosa)	HC	9,487	4-03-02
# Practical Pig Corporation (Clinton Co.)	AFO	2,000	5-26-02
Mobile World, L.C. (Camanche)	WW	2,000	5-27-02
M-F Real Estate; Fred "Butch" Levell (Carter Lake)	HC	1,701	8-18-02
Midway Oil Co.; David Requet (Davenport)	UT	5,355	9-20-02
Dale Schaffer (Union Co.)	AQ/SW	10,000	11-05-02
U.S. Petro, Inc.; SSJG Petroleum; Sukhdev Singh	UT	32,690	2-28-03
Midway Oil Co.; David Requet; John Bliss	UT	44,900	2-28-03
Green Valley Mobile Home Park (Mt. Pleasant)	WW	5,000	4-23-03
Midway Oil Company (West Branch)	UT	7,300	5-03-03
Midway Oil Company (Davenport)	UT	5,790	5-03-03
Efren Valdez (Warren Co.)	SW	2,782	6-09-03
Albert Miller (Kalona)	AQ/SW	10,000	9-26-03
Robert L. Nelson (Orient)	UT	617	12-26-03
Mark Anderson (Des Moines Co.)	AQ/SW	6,188	3-22-04
Mike Phillips aka Jeff Phillips (Cambridge)	AQ	5,000	3-27-04
Mike Messerschmidt (Martinsburg)	AQ/SW	500	4-13-04
Interchange Service Co., Inc., et.al. (Onawa)	WW	6,000	5-07-04
Emer Carlson (Fairfield)	AQ	6,100	6-01-04
Iowa Falls Evangelical Free Church (Iowa Falls)	WS	750	6-13-04
Mitchell Town Pump (Mitchell)	WS	2,080	6-16-04
# Dunphy Poultry (Union Co.)	AFO	1,500	6-27-04

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Shane Preder (Ft. Madison)	AQ	477	7-12-04
James L. Heal d/b/a A-1 Domestic (Homestead)	SW/WW	1,800	7-16-04
Ranch Supper Club (Swisher)	WS	300	8-02-04
# Cash Brewer (Cherokee Co.)	AFO/SW	10,000	8-25-04
Spillway Supper Club (Harpers Ferry)	WS	1,500	9-06-04
David Niklasen (Shelby Co.)	SW	100	9-11-04
# Doorenbos Poultry; Scott Doorenbos (Sioux Co.)	AFO	1,500	10-09-04
T & T Corner Bar (McIntire)	WS	3,000	10-26-04
Rock N Row Adventures (Eldora)	WS	3,000	10-23-04
# Norm Cleveringa (Lyon Co.)	AFO	750	11-27-04
Americana Bowl (Ft. Madison)	WS	100	11-28-04
Howard Traver, Jr. (Cass Co.)	SW	3,000	12-14-04
Monty Branstad (Winnebago Co.)	AQ/SW	8,000	2-03-05
Valley Country Café; NOO Investment Co. (Cass Co.)	WS	5,000	2-18-05
Denzel Edwards (Cass Co.)	AQ/SW/HC	500	3-01-05
Virgil Ehlers; Ehlers Oil Co. (Soldier)	UT	8,040	4-23-05
Harold Linnaberry (Clinton Co.)	SW	1,000	5-18-05
Elery Fry; Allen Fry; Mel Fry; Ron Fry (Moravia)	SW	10,000	6-20-05
Fedler and Company; Tony Fedler (Mt. Pleasant)	HC	3,670	6-25-05
# Matt Hoffman (Plymouth Co.)	AFO	750	8-08-05
Vernon Kinsinger (Washington Co)	SW	3,930	12-31-05
# Joel McNeil (Kossuth Co.)	AFO	2,500	1 21-06
Carl Cliburn (Wapello Co.)	AQ/SW	3,474	2-03-06
Affordable Asbestos Removal, Inc. (Monticello)	AQ	7,000	4-28-06
Jeff Albrecht (Humboldt Co.)	AQ	500	5-06-06
CRM Enterprises; Envirobest, Inc. (Iowa City)	AQ	7,000	5-21-06
# Mike Elsbernd (Winneshiek Co.)	AFO	3,000	6-29-06
# Troy VanBeek (Lyon Co.)	AFO	3,500	10-16-06
# Randy Rudolph (Audubon Co.)	AFO	3,500	11-06-06
Larry Bergen (Worth Co.)	AQ/SW	1,357	11-01-06
Mobile World, LC; R. Victor Hanks (Clinton Co.)	WW	22,500	4-01-07
Edward Branstad; Monroe "Monty" Branstad (Forest City)	AQ	4,500	4-16-07
Colleen Weber (Mitchell Co.)	AQ/SW	1,500	6-01-07
James L. Heal; A-1 Imports (Homestead)	WW/SW	10,000	7-18-07
# Doug Orwig Site #1 (Dickinson Co.)	AFO	3,500	10-01-07
# Brian Riesberg (Carroll Co.)	AFO	9,500	11-12-07
# Grand Prix Industries, Inc. (Kossuth Co.)	AFO	300	12-01-07
# Jim Christensen (Clay Co.)	AFO	6,000	12-27-07
# Leland Van Kooten; Darin Van Kooten (Leighton)	AFO	5,500	12-30-07
Muscataine County SWM Agency (Muscataine)	SW	4,000	1-03-08
Mark Witt; Witt Auto Salvage (Monroe Co.)	SW/WW	8,000	1-15-08
# JPP Pork, Inc. (Ainsworth)	AFO	3,000	2-09-08
Golden Furrow Fertilizer, Inc. (Agency)	HC	4,000	2-09-08
# Iowa Select Farms, LLP (Clarke Co.)	AFO	2,500	2-20-08
# Joshua Van Der Weide (Lyon Co.)	AFO	3,500	2-25-08
Clinton Community School District	WW	3,000	2-25-08
Mike Barrett; Jody Barrett (Polk Co.)	SW	6,200	3-05-08
# Pheasant Ridge Farms, Inc. (Pottawattamie Co.)	AFO	9,000	4-08-08
# Richard Steen; Jeff Behrens (Montgomery Co.)	AFO	8,000	4-19-08
Woodbury Co.; Prairie Hills PWS (Sioux City)	WS	6,450	5-15-08
Roger McEwan (Palo Alto Co.)	WW	10,000	4-18-08
Brush & Weed Control; New Farmers Drainage (Monona Co.)	WW	10,000	6-13-08
# Doug Harris (Louisa Co.)	AFO	5,000	5-07-08
Bedford, City of	AQ	2,000	5-07-08

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Dexter Laundry, Inc. (Fairfield)	WW	2,500	5-07-08
Randolph, City of	AQ/SW	4,000	5-07-08
Binder Trucking, Inc. (Buena Vista Co.)	WW	8,000	5-11-08
# Ted Dickey dba Dickey Farms (Muscatine Co.)	AQ/SW/AFO	4,000	6-01-08
TOTAL		503,416	

The following penalties have been placed on payment plans:

* Jerry Feilen and Rick Bain (Pottawattamie Co.)	AQ/SW	1,663	12-15-03
#*Floyd Kroeze (Butler Co.)	AFO	1,500	6-01-04
#*James Boller (Kalona)	AFO	3,034	8-19-04
* Fran Oil Company (Council Bluffs)(3 Admin. Orders)	UT	4,300	4-09-05
* Reginald Parcel (Henry Co.)	AQ/SW	110	4-23-05
* Country Stores of Carroll, Ltd. (Carroll)	UT	1,408	6-06-05
#*Tony Mertens (Mt. Pleasant)	AFO	2,644	7-20-06
#*Dale Schumann (Buena Vista Co.)	AFO	1,000	8-01-06
#*Galen Drent (Boyden)	AFO	1,510	2-01-07
#*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	100	4-01-07
* Douglas Bloomquist (Webster Co.)	AQ/SW	3,500	12-01-07
#*Charles Wauters (Keystone)	AFO/SW	3,500	12-01-07
#*Eugene Reed (Washington Co.)	AFO	500	12-01-07
Jack Knudson (Irwin)	UT	10,000	1-15-08
* Fred Knosby (Cumming)	AQ/SW	1,664	3-15-08
#*John Kauffman (Iowa City)	AFO	1,872	3-20-08
#*Neal Rupiper (Carroll)	AFO	2,438	4-10-08
* Craig Burns (Postville)	WW	1,950	4-15-08
* Fred Miller; Earthworks Contracting (Quimby)	AQ	6,720	4-15-08
* Randy Kennedy; R K Construction & Demolition (Slater)	AQ	1,600	4-15-08
#*Loren and Rhonda Van Zante (Eddyville)	AFO	3,250	4-30-08
#*Loren and Rhonda Van Zante (Eddyville)	AFO	3,900	4-30-08
#*James Hogan; Hogan Brothers (Jones Co.)	AFO	1,352	5-01-08
#*Meyer Bros.; Steve Meyer (Ida Co.)	AFO	4,688	5-01-08
* Curt and Kelly Tracy; Condev, Inc. (Union Co.)	AFO	8,373	5-11-08
* Chelsea, City of	WW	400	5-15-08
* Midway Water & Lighting Co., Inc. (Marion)	WS	100	5-20-08
* John Danker (Lee Co.)	AQ/SW	1,388	5-22-08
* Willey, City of	AQ/SW	2,000	6-01-08
# Doug Hymbaugh (Ringgold Co.)	AQ/SW	1,000	6-08-08
#*Schomers Cattle, LLC (Shelby Co.)	AFO	5,000	6-10-08
#*Chris Hunt; Steven Hunt; Hunt Bros. Feedlot (O'Brien Co.)	AFO	2,495	9-01-08
#*Joe Tomka (Carroll Co.)	AFO	1,750	12-01-08
TOTAL		86,709	

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Gerald and Judith Vens (Scott Co.)	FP	5,000
# Dan Witt (Clinton Co.)	AFO	3,000
Dallas County Care Facility (Adel)	WW	5,000
# Doug Osweiler (South English)	AFO	5,000
# Jeff Holland (Winnebago Co.)	AFO	5,500

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF

Carpenter Bar & Grill (Carpenter)	WS	10,000
# Swine USA; Davis Finishing Site (Clarke Co.)	AFO	750
LeMars, City of	WW	9,000
Iowa Quality Beef Supply Cooperative (Tama)	WW	10,000
Bruce Piper; Piper Motor Company, Inc. (Bloomfield)	AQ/WW	10,000
Bedrock Gravel, In. (Buena Vista Co.)	AQ/SW	10,000
Goldsmith & Son, Inc.; J & G Pallet LLC (Sergeant Bluff)	WW	10,000
Hidden Valley MHP; Larry Fishback (Washington)	WW	2,000
Cliff's Place (Waverly)	WS	5,800
Anthony Herman; Mighty Good Used Cars (Polk Co.)	WW	7,500
TOTAL		98,550

The following administrative penalties have been collected:

NAME/LOCATION	PROGRAM	AMOUNT
* Fred Miller; Earthworks Contracting (Quimby)	AQ	300
# Timothy Maxwell (Muscatine Co.)	AFO	2,500
#*Rahn Eischeid (Carroll Co.)	AFO	2,500
Rural Water System Number 1 (Sioux Co.)	WS	8,000
Wellman Dynamics Corp. (Creston)	WW	7,500
* Craig Burns (Postville)	WW	200
#*John Kauffman (Iowa City)	AFO	208
#*Atsma Dairy Farms (Granville)	AFO	212
* John Danker (Lee Co.)	AQ/SW	139
#*Charles F. Deering, Jr. (Postville)	AFO	1,250
* Midway Water & Lighting Co., Inc. (Marion)	WS	100
# Doug Hymbaugh (Ringgold Co.)	AQ/SW	200
#*Meyer Bros.; Steve Meyer (Ida Co.)	AFO	938
* John Danker (Lee Co.)	AQ/SW	139
* Chelsea, City of	WW	200
* Curt and Kelly Tracy; Condev, Inc. (Union Co.)	AFO	214
Xethanol Biofuels, LLC (Blairstown)	AQ	10,000
#*James Hogan; Hogan Brothers (Jones Co.)	AFO	104
Chariton, City of (STIP. PENALTY)	WW	500
TOTAL		35,204

The following penalty payments were collected by the Department of Revenue during the Month of March

James Harter Jr.	WW	297
Larry Bergen, Jr.	AQ	150
TOTAL		447

Total Penalties Collected 35,651

*Payment Schedule

#Animal Feeding Operation

BOLD Entries Have Been Referred to DRF